

REMARKS/ARGUMENTS

Claims 1-15 are in the case. Applicant has added Figure 9. Applicant has also amended the specification to correct typographical and clerical errors and added description of Figure 9 in accordance with the addition of the Figure. Claims 1-15 have been amended to correct informalities and improve claiming language and structure in accordance with the USPTO practice. Support for Figure 9 can be found at page 5, lines 4-5, page 11, lines 4-10, and Figure 1 in the specification as originally filed. No new matter has been introduced.

Applicant acknowledges receipt of the "Notice of References Cited" (form PTO-892) and the attached references.

The following documents accompany this response:

- (i) Petition for Extension of Time,
- (ii) Inventor's Declaration Under 37 C.F.R. 1.131,
- (iii) Exhibit 1, Invention Record Approval Document, and
- (iv) Declaration and Power of Attorney.

Applicant requests favorable reconsideration of the subject application in view of the following remarks/arguments:

Oath/Declaration

The examiner's action indicated that the oath or declaration was defective and untimely, and required submission of an updated oath or declaration.

In response, Applicant submits herewith an updated Declaration and Power of Attorney recently executed by the inventor. Thus, the requirement has been fulfilled.

Drawings

The drawing was objected to as omitting a claimed feature, the gas generator in the housing as set forth in claim 12.

In response, Applicant has added Figure 9 which shows the claimed feature of a gas generator 14' in the housing. Applicant requests the approval of the addition, as the figure is supported by page 5, lines 4-5, page 11, lines 4-10, and Figure 1 in the specification as originally filed. Then, the objection is believed to be overcome.

Specification

The specification was objected to because of informalities.

In response, Applicant has amended the specification to correct the informalities. Thus, the objections have been overcome.

Claim Rejections - 35 USC §112

Claims 1-15 were rejected under 35 U.S. C. §112, second paragraph, as being indefinite.

In response, Applicant has amended claims 1-15 to more particularly point out and distinctly claim the subject matter of the present invention.

The examiner's action stated that "it is not clear what 'concertina-style' encompasses." In response, Applicant would like to cite the definition, at page 288 of the American Heritary Collegiate Dictionary, third edition, of concertina as "a small hexagonal accordion with bellows and with buttons for keys." A copy of the definition from the Dictionary is enclosed. As disclosed at page 9, lines 8-11 and Figures 5 and 6 of the specification, it is illustrated that the concertina-style side wall is an accordion-like

side wall when relaxed and folded which stretches to fully expanded vertically side wall when the housing is inflated.

The examiner's action stated that claim 14 was repetitive of limitation of claim 1. Applicant respectfully disagrees. Claim 1 recites that the upper cover is substantially rigid but is silent on the base, while claim 14 recites that the base is substantially rigid. Thus, claim 14 is not repetitive of the limitation of claim 1.

The examiner's action stated that claim 15 was "inaccurate because the specification did not disclose the peripheral region of the base as deformable." Applicant respectfully disagrees. As disclosed, for example at page 5, line 6-7 of the specification, "the base has a deformable peripheral region."

Thus, the rejections are overcome.

Claim Rejections - 35 USC §102

Claims 1, 5, and 10 were rejected under 35 U.S.C. §102(e) as being anticipated by Kowalski, U.S. Patent No. 6,158,766 (the Kowalski reference).

In response, Applicant submits herewith a Declaration Under 37 C.F.R. 1.131 by the sole inventor of the subject application, Pontus Söderström, with supporting documentary evidence, to antedate the Kowalski reference.

The Declaration establishes that the date of invention for the subject application is prior to the effective U.S. filing date of the Kowalski reference, February 26, 1999. The conception of the invention occurred prior to February 26, 1999, and the inventor had exercised due diligence from a time prior to February 26, 1999 until June 18, 1999, the date of constructive reduction to practice, when the British priority application of the

subject application was filed. Accordingly, it is respectfully submitted that Kowalski is not a legally available reference with respect to the subject application.

Additionally, in the process of preparing this response, it was noticed for the first time that the invention was made in the United States and that the UK priority application was filed without the benefit of a foreign filing license. Applicant is therefore taking the necessary steps to timely cure the deficiency by filing a Petition for Retroactive Foreign Filing License which follows this response.

Therefore, Applicant submits that all the requirements for antedating the reference have been satisfied and the rejections based on the Kowalski reference should be withdrawn.

Claim Rejections - 35 USC §103

Claims 2 and 14-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Kowalski reference; claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over the Kowalski reference in view of German Published Application 19727598; claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over the Kowalski reference in view of the German publication and UK Patent 2,272,670; claims 6-9 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Kowalski reference in view of Haland et al.; claims 12-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Kowalski reference in view of Boydston et al.

In response, Applicant submits that as discussed, *supra*, Applicant has antedated the primary reference, the Kowalski reference, by the inventor's 131 Declaration and the supporting document. Thus, Applicant requests that these rejections based on the

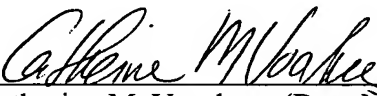
Kowalski reference in combination with the other references be withdrawn, as the Kowalski reference is no longer a legally available reference against the subject application.

In view of the above, all objections and rejections have been overcome and claims 1-15 as amended are in condition for allowance, early notice of which is requested.

A check in the amount of \$950 for petition for extension of time is enclosed. Should any other fee be required, please charge same to Deposit Account No. 22-0261 and notify Applicant's attorney.

Respectfully submitted,

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con·cen·ter. (kən-sən'tər, kōn-) *tr. & intr. v.* -tered, -ter·ing.
[*fers.*] To direct toward or come together at a common center.
[*Ter.* Ital. *concentrare* or Fr. *concentrer*; both < Lat. *com-*,
com- + *lat.* *centrum*, center; see *CENTER*.] *cf.* 279330
con·cen·trate (kən'sən'trāt, kōn-) *v.* -trated, -trat·ing, -trates.
— *tr.* 1. a. To direct or draw toward a common center; focus.
b. To bring into one main body. 2. To make (a solution or
mixture) less dilute. — *intr.* 1. a. To converge toward or meet
in a common center. b. To increase by degree; gather. 2. To
direct one's thoughts or attention: *concentrated on the task*.
— *n.* A product that has been concentrated, esp. a food that
has been reduced in volume or bulk by the removal of liquid.
[< *CONCENTRARE*.] — *con'cen'tra'tive adj.* — *con'cen'tra'ti*
vely adv. — *con'cen'tra'tor n.* *cf.* 279331
con·cen·tra·tion (kən'sən'trā'shən) *n.* 1. a. The act or pro-
cess of concentrating, esp. the fixing of close, undivided, atten-
tion. b. The condition of being concentrated. 2. Something
that has been concentrated. 3. *Chem.* The amount of a spec-
ified substance in a unit amount of another substance. *cf.* 279332
concentration camp *n.* A camp where prisoners of war, enemy
aliens, and political prisoners are detained and confined, typi-
cally under harsh conditions. *cf.* 279333
con·cen·tric (kən-sən'trɪk) also *con·cen·tri·cal* (trɪ-kəl) *adj.*
Having a common center. [ME *concentric* < Med. Lat. *con-*
centricus : Lat. *com-*, *com-* + *lat.* *centrum*, center; see *CEN-*
TER.] — *con'cen'tri·cal·ly adv.* — *con'cen'tric·i·ty* (kən'-
sən-trɪ-ti) *n.* *cf.* 279334
Con·cep·ción (kən-səp'se-ōn', səp'shən, kōn'səp-syōn'). A
city of W. central Chile near the Pacific coast. SSW of Santi-
ago; founded 1550. Pop. 267,891. *cf.* 279335
con·cept (kōn'səpt') *n.* 1. A general idea derived or inferred
from specific instances or occurrences. 2. Something formed
in the mind; a thought or notion. See *Syns at Idea*. 3. *Usage*
Problem. A scheme; a plan. [Lat. *conceptus* < Lat., p.p.t.
of *concipere*, to conceive. See *CONCEIVE*.] *cf.* 279336
Usage Note. In fields such as entertainment and adver-
tising, *concept* is often used loosely to mean "a scheme, plan,"
as in: *The studio liked the concept for the new game show*.
Perhaps this usage sounds most at home in these industries.
con·cep·ta·cle (kən-səp'tə-kəl) *n.* A hollow chamber contain-
ing reproductive structures that appears on the surface of re-
ceptacles in certain algae and fungi. [Lat. *conceptaculum*, re-
ceptacle; < *CONCEPTUS*, p.p.t. of *concipere*, to conceive. See
CONCEIVE.] *cf.* 279337
con·cep·tion (kən-səp'shən) *n.* 1. a. Formation of a viable zy-
gote by the union of the sperm and the ovum; fertilization.
b. The entity formed by the union of the sperm and the ovum;
an embryo or a zygote. 2. a. The ability to form or understand
mental concepts and abstractions. b. Something conceived
in the mind; a concept, plan, design, idea, or thought. See *Syns*
at Idea. 3. *Archaic.* A beginning; a start. [ME *conceptionem* <
OFr. *conception* < Lat. *conceptionem*, *conceptione* < *con-*
ceptus.] — *con'cep·tion·al adj.* — *con'cep·tive adj.*
con·cep·tu·al (kən-səp'tʃoo-əl) *adj.* Of concepts, or concep-
tion. [Med. Lat. *conceptualis* < Lat. *conceptus*, a thought.
See *CONCEPT*.] — *con'cep·tu·al·ly adv.* *cf.* 279338
conceptual art *n.* Art that is intended to convey an idea or a
concept and that may not involve the creation or appreciation
of a traditional art object. — *conceptual artist n.* *cf.* 279339
con·cep·tu·al·ism (kən-səp'tʃoo-əl-iz'm) *n.* *Philos.* The
doctrine that universals exist only within the mind and have
no external or substantial reality. — *con'cep·tu·al·ist n.*
— *con'cep·tu·al·ist·ic adj.* *cf.* 279340
con·cep·tu·al·ize (kən-səp'tʃoo-əl-īz) *v.* -lized, -lizing, -lizes.
— *tr.* To form a concept or concepts of; esp. to interpret
in a conceptual way. — *intr.* To form concepts. — *con'cep-*
tu·al·ize·tion (-səp'tʃoo-əl-īz-ə'shən) *n.* — *con'cep·tu-*
al·ize·ry *n.* *cf.* 279341
con·cep·tus (kən-səp'təs) *n.* The product of conception at any
point between fertilization and birth. [Lat., something con-
ceived. See *CONCEPTION*.] *cf.* 279342
con·cern (kən-sərn') *v.* -cerned, -cern·ing; -cerns, -cern·ing. 1. To
have to do with or relate to. 2. To be of interest or importance
to: *This problem concerns all of us*. 3. To engage the attention
of; involve; *concerned ourselves with the task*. 4. To cause
anxiety or uneasiness in. — *intr.* *Obsolete.* To be of impor-
tance. — *n.* 1. A matter that relates to or affects one. 2. Re-
gard for or interest in someone or something. 3. A troubled
or anxious state; of mind arising from solicitude or interest.
See *Syns at Anxiety*. 4. A business establishment or enterprise;
a firm. 5. A contrivance; a gadget. [ME *concernen* < OFr.
concerner < Med. Lat. *concernere* < Lat., to mingle together
— *cf.* 279343
[Lat. *com-*, *com-* + *lat.* *cernere*, to sift; see *cern-*].
con·cerned (kən-sərn'd) *adj.* 1. Interested and involved.
2. Anxious; troubled. *cf.* 279344
con·cern·ing (kən-sərn'ɪŋ) *prep.* In reference to. See *Usage*
Note at participate. *cf.* 279345
con·cern·ment (kən-sərn'mənt) *n.* 1. A matter that is of con-
cern. 2. Reference, relation, or importance. 3. Anxiety; worry.
con·cert (kōn'sərt', sərt-) *n.* 1. *Mus.* A performance given by
one or more singers or instrumentalists or both. 2. a. Agree-
ment in purpose; feeling, or action. b. Unity achieved by
concerted action. *cf.* 279346

[illegible]